

BILL NO. G-67-06- 18

GENERAL ORDINANCE NO. G- 100-67

AN ORDINANCE amending the Building Code as to
Fire Zones.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. Section 116 of Division 100 of Chapter 37 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended and recodified by General Ordinance No. G-66-66, passed by the Common Council on June 14, 1966, and approved by the Mayor on June 15, 1966, hereinafter referred to as the Building Code, is hereby amended to read as follows:

"116 Fire Limits; Fire Districts

For the purpose of these rules and regulations, there is hereby declared to be and is hereby established a Fire District, and said Fire District shall contain Fire Zone 1 (Primary Fire Zone), Fire Zone 2 (Secondary Fire Zone), Fire Zone 3, and Fire Zone 4.

Classification of all buildings by type of structures and general requirements are as outlined and defined in the "Building Rules and Regulations" of the Administrative Building Council of Indiana.

Restrictions for buildings located in more than one Fire Zone, moved buildings, and temporary buildings, are as outlined and defined in the "Building Rules and Regulations" of the Administrative Building Council of Indiana.

116.1 Fire Zone 1 - The Primary Fire Zone of the City shall be all that territory in the area which is, or will be zoned, as "B-3A".

- 116.1.1 General - Buildings or structures hereafter erected, constructed, moved within or into Primary Fire Zone shall be only of Type I, II or limited Type III construction.
- 116.1.2 Limitation of Types of Construction.
Type III - Buildings or structures of Type III construction hereafter erected shall have all walls and partitions and floor over usable spaces of not less than one hour fire resistive construction.
- 116.1.3 Openings - All openings in exterior walls within twenty (20) feet of adjacent property line or other buildings on the same property or within fifty (50) feet of the opposite side of the street or public place or in courts which are less than twenty (20) feet in the least dimension, shall be provided with doors or windows of one hour fire resistive construction.
- 116.1.4 Alterations - Any building or structure which is enlarged, altered, raised, repaired or built upon to an extent exceeding an expenditure within any five year period of twenty percent (20%) of the value of the building or structure, shall be made to comply with all the requirements of a new building or structure erected in the Primary Fire Zone.
- 116.1.5 Occupancies Prohibited - No Group E occupancies, except garages, shall be permitted in the Primary Fire Zone.

116.2 Fire Zone 2 - The Secondary Fire Zone of the City shall be all that territory in an area which may hereafter be placed in said zone by amendment to this code.

116.2.1 General - Buildings or structures hereafter erected, constructed, moved within or into the Secondary Fire Zone shall be of Type I, II, III or limited Type IV or limited Type V construction, except that these restrictions do not apply to family dwellings located in the area zoned R-3.

116.2.2 Limitation of Types of Construction, Type IV - Buildings or structures of Type IV construction having an area greater than seventy-five hundred square feet (7,500 sq. ft.) shall not be erected, constructed, moved within or into Fire Zone No. 2 and such buildings over one thousand square feet (1,000 sq. ft.) in area, erected, constructed, moved within or into Fire Zone No. 2 shall have all exterior walls of not less than one-hour fire-resistive construction, provided, that when such exterior walls are less than ten feet (10') from adjacent property lines or less than twenty feet (20') from buildings on the same property, the exterior walls shall be of not less than four-hour fire-resistive construction.

116.2.3 Limitation of Types of Construction, Type V - Buildings or structures of Type V construction erected, constructed, moved within or into the Secondary Fire Zone shall have all exterior walls of not less than one-hour fire-resistive construction and shall not exceed seventy-five hundred square feet (7,500 sq.ft.) in area; provided, that when such exterior walls are less than ten feet (10') from adjacent property lines or less than twenty feet (20') from buildings on the same property the exterior walls shall be of not less than four-hour fire-resistive con-

struction. In all cases the roofs of such buildings shall be covered with a "Fire-Retardant" roofing.

116.2.4 Alterations - No building of Type IV construction in excess of one thousand square feet (1,000 sq.ft.) in floor area nor any building of Type V construction except as specified in Subsection (b) already erected in the Secondary Fire Zone, shall hereafter be altered, enlarged, added to or moved except as follows:

1. Such building may be made to conform to the provisions of this Section.
2. Changes, alterations and repairs to the interior of such building or to the front thereof facing a public street may be made provided such changes do not, in the opinion of the Building Commissioner, increase the fire hazard of such building.
3. Roofs of such buildings may be covered only with a "Fire-Retardant" roofing.
4. Combustible finish on the outside of walls may be replaced by, or covered with, exterior plaster.

116.2.5 Occupancies Prohibited - No Group E occupancies, except garages, shall be permitted in the Secondary Fire Zone.

116.3 Fire Zone 3 - Fire Zone 3 of the City shall be all that territory in the area which is, or will be zoned, as "B-1, B-2, B-3B, B-4, M-1, M-2, M-3, IA and R-3".

- 116.3.1 General - Buildings or structures hereafter erected, constructed, moved within or into Fire Zone 3 shall be of Type I, II, III or limited Type IV or limited Type V Construction, except that these restrictions do not apply to family dwellings or multiple family dwellings located in the area zoned R-3.
- 116.3.2 Limitation of Types of Construction. Type IV - Buildings or structures of Type IV construction having an area greater than seventy-five hundred square feet (7,500 sq.ft.) shall not be erected, constructed, moved within or into Fire Zone No. 3 and such buildings over one thousand square feet (1,000 sq.ft.) in area, erected, constructed, moved within or into Fire Zone No. 3 shall have all exterior walls of not less than one-hour fire-resistive construction, provided, that when such exterior walls are less than ten feet (10') from adjacent property lines or less than twenty feet (20') from buildings on the same property, the exterior walls shall be of not less than four-hour fire-resistive construction.
- 116.3.3 Limitation of Types of Construction. Type V - Buildings or structures of Type V construction erected, constructed, moved within or into Fire Zone No. 3 shall have all exterior walls of not less than one-hour fire-resistive construction and shall not exceed seventy-five hundred square feet (7,500 sq.ft.) in area; provided, that when such exterior walls are less than ten feet (10') from adjacent property lines or less than twenty feet (20') from buildings on the same property the exterior walls shall be of not less than four-hour fire-resistive construction. In all cases the roofs of such buildings shall be covered with a "Fire-Retardant" roofing.

116.3.4 Alterations - No buildings of Type IV construction in excess of one thousand square feet (1,000 sq. ft.) in floor area nor any building of Type V construction except as specified in Subsection (b) already erected in Fire Zone No. 3, shall hereafter be altered, enlarged, added to or moved except as follows:

1. Such buildings may be made to conform to the provisions of this Section.
2. Changes, alterations and repairs to the interior of such buildings or to the front thereof facing a public street may be made provided such changes do not, in the opinion of the Building Commissioner, increase the fire hazard of such building.
3. Roofs of such buildings may be covered only with a "Fire-Retardant" roofing.
4. Combustible finish on the outside of walls may be replaced by, or covered with, exterior plaster.

116.4 Fire Zone 4 - Fire Zone 4 shall consist of all territory in the City not included in Fire Zones 1, 2 and 3. Any buildings or structures complying with the requirements of these rules and regulations may be erected, constructed, moved within or into Fire Zone 4.

SECTION 2. This Ordinance shall become effective upon its passage, approval by the Mayor, and publication as required by law.

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

Bill No. G-67-06--18

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the Building Code as to Fire Zones,

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

PHIL A. STEIGERWALD, Chairman

HERBERT G. TIPTON, Vice-Chairman

VERLIN H. BUCHANAN

JOHN H. ROBINSON

JACK K. DUNIFON.

Phil A. Steigerwald
Herbert G. Tipton
Verlin H. Buchanan
John H. Robinson
Jack K. Dunifon

CONCURRED IN

DATE 6-27-67 WALTER C. MEYERS, CITY CLERK

Read the first time in full and on motion by Steigerwald seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Regulation (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____, 196____, at _____ o'clock P.M., E.S.T.)

Date: 6/13/67 Walter C. Meyer
CITY CLERK

Read the third time in full and on motion by Buchanan seconded by _____ and duly adopted, placed on its passage.

Passed (~~lost~~) by the following vote:

AYES	NAYS	ABSTAINED	ABSENT	to-wit:
<u>9</u>	<u>0</u>	_____	_____	
Buchanan	_____	_____	_____	
Dunifon	_____	_____	_____	
Fay	_____	_____	_____	
Hinga	_____	_____	_____	
Nuckols	_____	_____	_____	
Robinson	_____	_____	_____	
Rousseau	_____	_____	_____	
Steigerwald	_____	_____	_____	
Tipton	_____	_____	_____	

Date 6-27-67 Walter C. Meyer
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 1-100-67

on the 27th day of June, 1967.
ATTEST: (SEAL) Walter C. Meyer CITY CLERK Earl J. Rousseau PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1967 at the hour of 10:00 o'clock A.M., E.S.T.
Walter C. Meyer
CITY CLERK

Approved and signed by me this 29th day of June, 1967, at the hour of 2:19 o'clock P.M., E.S.T.
Harold S. Zeis
MAYOR